

suggest that one needs to prevent Vitamin D production via sunlight. However, applicant's claims require administration "a dose of Vitamin D compound" to subjects. Applicants respectfully submit that a person skill in the art would understand that "dosing" means through a pharmaceutical as opposed to via sunlight exposure. The claims do not attempt to limit sunlight exposure.

The Examiner also asks: "Does this mean that administration of Vitamin D less frequently to any representative of females will induce apoptosis of non-neoplastic cells?" Applicants submit that the application teaches that apoptosis will occur if the Vitamin D is administered at a sufficient dosage. The claims cover only amounts effective to induce apoptosis of such cells.

The Examiner also asks: "What happens to a non-female representative that is administered Vitamin D less than frequently that does not have the ovarian non-neoplastic epithelial cells? Will the non-neoplastic cells die as well?" As explained in the last Office Action, it is known that other cell tissues other than ovarian epithelial cells also have Vitamin D receptors. These non-ovarian cell tissues can undergo apoptosis.

The Examiner has also maintained the rejection of claims 35-90 of the prior Office Action for a lack of enablement. Applicant respectfully submits that the claim scope is appropriate because the Vitamin D compounds are known to interact with Vitamin D receptors. These Vitamin D products may have to undergo metabolism in the body. For example, Vitamin D undergoes a 25 hydroxylation in the liver. The product is further hydroxylated in the kidney and at non-renal sites. Applicants therefore submit that the full scope of Vitamin D compounds as claimed is appropriate and that proper enablement is provided.

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The Examiner also rejected claims 43-90 because the claims are not limited to a female subject. Applicants submit that the claims are properly enabled. The application states that the apoptosis will occur with breast cells. In addition, it is known that prostate, colon, and other cell tissues have Vitamin D receptors. Applicants submit that the teachings of this application would enable a person skilled in the art to administer Vitamin D to cause apoptosis in cell tissue in non-female subjects, such as prostate cell tissues.

Applicants respectfully request reconsideration and allowance of the pending claims. Please charge any fees associated with this filing to Deposit Account No. 10-0460.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313 on October 2, 2006.

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Panagiota T. Sotiropoulos October 2, 2006

Signature

Date